

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Claims 5-8 and 11 are now present in this application. Claims 5 and 11 are independent. Claims 1-4, 9 and 10 have been canceled and claims 5 and 8 have been amended. Reconsideration of this application is respectfully requested.

Reasons for Entry of Amendment

The application is after final rejection. The present amendment should be entered as it places the application in condition for allowance. The amended claims, as explained in the following remarks, are allowable over the prior art. The amendment does not raise new issues as a limitation from claim 8, dependent on claim 5, has been added to claim 5 and so has already been considered by the Examiner.

Rejection Under 35 U.S.C. § 102

Claims 1, 3-8 10 and 11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US 6,289,680 (Oh et al.). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claim 5 has been amended to recite a combination of elements in an operation control apparatus including a current detecting unit for detecting current applied to the compressor, a voltage detecting unit for detecting voltage applied to the compressor, an operation control apparatus for a compressor including detecting means for detecting a current and a voltage applied to a compressor and a storing means for presetting a standard current value for preventing an overcurrent generated when the compressor initially starts, and storing the set standard current value. A comparing means compares the detected current value and the standard current value, and outputs a comparing signal corresponding to the comparing result. A control means cuts off a current

applied to the compressor by turning off a current control means installed at the compressor by the comparing result, or controls a stroke voltage applied to the compressor by turning on/off the current control means at a certain period, and an OLP (over load protector) and/or a PTC thermistor (positive temperature coefficient thermistor) are not used for the operation control apparatus. The control means cuts off a current applied to the compressor by turning off the current control means when the detected current value is greater than the standard current value.

Oh et al. does not disclose a storing means for presetting a standard current value for preventing an overcurrent generated when the compressor initially starts, and storing the set standard current value. Oh et al. is concerned with instability of the system due to the stroke. The system estimates the stroke and compares it to a preset maximum value. The judgment on stability is transferred to the stroke command determiner 31. The stroke value determiner determines the most adequate stroke command value and transfers it to the stroke controller 33. There is no storing means, as claimed, nor is there a comparing means for comparing the detected current value and the standard current value, and outputting a comparing signal corresponding to the comparing result.

Claim 11 recites a method for controlling an operation of a compressor including detecting a current applied to the compressor and comparing the detected current value and a preset standard current value and cutting off a current applied to the compressor by turning off a current control means installed at the compressor when the detected current value is greater than the standard current value and when the detected current value is the same as or smaller than the standard current value, estimating a stroke of the compressor, and controlling a stroke voltage applied to the compressor by turning on/off the current control means at a certain period on the basis of the estimated value and the preset stroke standard current value.

As mentioned above, Oh et al. does not disclose a step of comparing the detected current value and a preset standard current value and cutting off a current applied to the compressor by turning off a current control means installed at the compressor when the detected current value is greater than the standard current value. Nor does Oh et al. disclose estimating a stroke of the compressor, and controlling a stroke voltage applied to the compressor by turning on/off the current control means at a certain period on the basis of the estimated value and the preset stroke

standard current value when the detected current value is the same as or smaller than the standard current value. Oh et al. detects whether the system is stable or unstable and sends the judgment to the stroke command determiner which, in turn, sends the stroke command value to the stroke controller 33 which also received input from the sensorless stroke estimator.

Applicants respectfully submit that the combinations of elements and steps as set forth in independent claims 5 and 11 are not disclosed or made obvious by the prior art of record, including Oh et al., for the reasons explained above. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

With regard to dependent claims 6-8, Applicants submit that these claims depend from independent claim 5 which is allowable for the reasons set forth above, and therefore claims 6-8 are allowable. In addition, these claims recite further limitations which are not disclosed or made obvious by the applied prior art references. Reconsideration and allowance thereof are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chris McDonald, Registration No. 41,533, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

Application No. 10/538,077
Amendment dated May 29, 2009
Reply to Office Action of April 2, 2009

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 29, 2009

Respectfully submitted,

By James T. Eller, Jr.

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